

Exhibit 37  
to Mao Declaration ISO  
Plaintiffs' Motion for Leave to  
Amend Complaint

Public Redacted Version

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Attorneys for Defendant

GOOGLE LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO**

ANIBAL RODRIGUEZ AND JULIE ANNA  
MUNIZ, individually and on behalf of all other  
similarly situated,

Plaintiff,

vs.

GOOGLE LLC, *et al.*,

Defendant.

Case No. 3:20-CV-04688 RS

**DEFENDANT GOOGLE LLC’S  
FOURTH SUPPLEMENTAL  
RESPONSES AND OBJECTIONS TO  
PLAINTIFFS’ INTERROGATORIES,  
SET ONE**

Judge: Hon. Richard Seeborg  
Courtroom: 3, 17th Floor  
Action Filed: July 14, 2020

PROPOUNDING PARTY: PLAINTIFFS ANIBAL RODRIGUEZ AND JULIEANNA MUNIZ

RESPONDING PARTY: DEFENDANT GOOGLE LLC

SET NO.: ONE

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Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure (“Federal Rules”), Defendant Google LLC (“Defendant” or “Google”) hereby submits these second supplemental objections and responses to Plaintiffs Anibal Rodriguez and JulieAnna Muniz’s (“Plaintiffs”) First Set of Interrogatories (each an “Interrogatory” and collectively the “Interrogatories”), served on Google on November 4, 2020, responded to on December 4, 2020, and supplemented on February 26, 2021.

**PRELIMINARY STATEMENT AND GENERAL OBJECTIONS**

1. Each of Google’s responses is subject to, and incorporates, the following general objections. Google specifically incorporates each of these general objections into its responses to each of Plaintiffs’ Interrogatories, whether or not each such general objection is expressly referred to in Google’s responses to a specific Interrogatory.

2. Google objects to the instructions, definitions, and Interrogatories to the extent that they are broader than, or attempt to impose conditions, obligations, or duties beyond those required by the Federal Rules and/or the Local Rules. Google’s responses will be provided in accordance with the Federal Rules and the Local Rules.

3. Google objects to any Interrogatory to the extent that it is overbroad, unduly burdensome, compound, and/or oppressive, or purports to impose upon Google any duty or obligation that is inconsistent with or in excess of those obligations that are imposed by the Federal Rules, the Local Rules, or any other applicable rule or Court order. In particular, Google objects to any Interrogatories to the extent that it calls for information not relevant to the claims or defenses of the parties, or not proportional to the needs of this case.

4. Google objects to each Interrogatory to the extent it is vague, ambiguous, overly broad, or unduly burdensome as to time frame.

5. Google objects to any Interrogatory to the extent that it purports to attribute any special or unusual meaning to any term or phrase.

6. Google objects to the Interrogatories to the extent they seek confidential, proprietary, or trade secret information of third parties.

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7. Google’s objections and responses to these Interrogatories are not intended to waive or prejudice any objections Google may assert now or in the future, including, without limitation, objections as to the relevance of the subject matter of any Interrogatory, or as to the admissibility of any information or category of information at trial or in any other proceedings. Google expressly reserves any and all rights and privileges under the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Local Rules, and any other applicable laws or rules, and the failure to assert such rights and privileges or the inadvertent disclosure by Google of information protected by such rights and privileges shall not constitute a waiver thereof, either with respect to these responses or with respect to any future discovery responses or objections.

8. Google has responded to the Interrogatories as it interprets and understands them. If Plaintiffs subsequently assert an interpretation of any Interrogatory that differs from Google’s understanding of that Interrogatory, Google reserves the right to supplement its objections and/or responses.

9. Discovery in this matter is ongoing. Accordingly, Google reserves the right to change, amend, or supplement any or all of the matters contained in these responses as Google’s investigation continues, additional facts are ascertained, analyses are made, research is completed, and additional documents are subsequently discovered, collected, and/or reviewed.

**OBJECTIONS TO DEFINITIONS**

10. Google objects to the definition of the terms “GOOGLE,” “YOU,” and “YOUR” as incomprehensible. Google construes GOOGLE, YOU, and YOUR to mean Google LLC.

11. Google objects to the definition of “Web & App Activity” as vague and ambiguous. Google construes “Web & App Activity” to mean the account-level setting called Web & App Activity.

**RESPONSES TO INTERROGATORIES****INTERROGATORY NO. 1:**

Please describe Google’s data collection with its Firebase SDK, noting any changes during the Class Period, including without limitation (a) what data Google collects, including user app browsing data, (b) what impact if any turning off (or previously pausing) Web & App Activity has

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1 on that Google data collection, (c) what impact if any an app’s disabling of analytics data  
2 collection has on that Google data collection, and (d) what impact if any an app’s decision to use  
3 or not use any Google services apart from Firebase SDK has on that Google data collection.

4 **RESPONSE TO INTERROGATORY NO. 1:**

5 Google objects to Interrogatory No. 1 as vague and ambiguous as to the undefined term  
6 “Web & App Activity.” For purposes of this response, Google construes Web & App Activity to  
7 mean the account-level setting called Web & App Activity. Google further objects to this  
8 Interrogatory as vague and ambiguous with respect to the phrases “Google’s data collection,”  
9 “impact” and “Firebase SDK.” Google further objects that the definition of “Class Period” is  
10 vague and ambiguous, as the Interrogatory defines the term to mean “the class period in this case,  
11 as defined in the operative complaint,” when the “operative complaint” has changed between  
12 when the Interrogatories were served and when these responses were provided, and the definition  
13 of “Class Period” differs between the original and amended complaints. Google further objects  
14 that the term “Class Period” is vague and ambiguous because it fails to provide a concrete range of  
15 time. Google further objects to this Interrogatory to the extent that it seeks information protected  
16 by the attorney-client privilege and/or the attorney work product doctrine. Google further objects  
17 to this Interrogatory as unduly burdensome, overbroad, and disproportionate to the needs of the  
18 Action because this Interrogatory seeks information outside of the Class Period, which has little to  
19 no bearing on Plaintiffs’ claims.

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16 **FOURTH SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1:**

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**INTERROGATORY NO. 2:**

Please identify every app that includes or has included Google’s Firebase SDK since the start of the Class Period, including for each app the time period during which that app used Google’s Firebase SDK and Google therefore would have received data even when users had Web & App Activity turned off (or previously paused).

**RESPONSE TO INTERROGATORY NO. 2:**

Google objects to Interrogatory No. 2 as vague and ambiguous as to the undefined term “Web & App Activity.” For purposes of this response, Google construes Web & App Activity to mean the account-level setting called Web & App Activity. Google further objects to this Interrogatory as vague and ambiguous with respect to the phrases “Google therefore would have received the data” and “Firebase SDK.” Google further objects that the definition of “Class Period” is vague and ambiguous, as the Interrogatories define the term to mean “the class period in this case, as defined in the operative complaint,” when the “operative complaint” has changed between when the Interrogatories were served and when these responses were provided, and the definition of “Class Period” differs between the original and amended complaints. Google further objects that the term “Class Period” is vague and ambiguous because it fails to provide a concrete range of time. Google further objects to this Interrogatory to the extent that it seeks information protected by the attorney-client privilege and/or the attorney work product doctrine. Google further objects to this Interrogatory because it is unduly burdensome, overbroad, and disproportionate to the needs of the Action, as it seeks a list of every app that includes or has